

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: R. O'Neal Gray

Application No.:

Filing Date:

For: **SYSTEM AND METHOD FOR FACILITATING THE PURCHASE
OF GOODS AND SERVICES**

DECLARATION OF INVENTOR

As the below named inventor, I hereby swear or affirm under penalty of perjury that:

1. My residence, post office address and citizenship are as stated below next to my name.
2. I believe I am the original inventor of the subject matter for which a patent is sought on the invention, design or discovery entitled:

**SYSTEM AND METHOD FOR FACILITATING THE PURCHASE OF
GOODS AND SERVICES**

and for which a patent application is being filed concurrently herewith.

3. I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above and hereby affirm that I invented the claimed subject matter.
4. I have reviewed the text of Title 35, United States Code §102 (a) through 102(f), a copy of which is attached as Exhibit A to this Declaration, and believe that no event has occurred that prevents me from claiming and obtaining a United States patent for the invention recited in the claims as amended by any amendment referred to above.

5. I have read Title 37, Code of Federal Regulations, §1.56, a copy of which is attached as Exhibit B to this Declaration, and hereby acknowledge my duty to disclose to the United States Patent Office all information that is known to me to be material to patentability of this patent application. I understand that information is material to patentability when: (a) the information is not cumulative to information already of record and establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim, or (b) the information refutes or is inconsistent with a position taken by me or my patent attorney in opposing an argument of unpatentability relied on by the Patent Office, or in asserting an argument of patentability. I also understand that my duty of disclosure to the Patent Office exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.
6. I hereby declare that all statements made herein based upon my personal knowledge are true, and all statements made on information and belief are believed to be true. I further understand that these statements were made with knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor's Name: R. O'Neal Gray

Inventor's Signature:

R. O'Neal Gray

Date Signed:

4-7-04

Residence (City, State): Dallas, Texas

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Citizenship: US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : R. O'Neal Gray

For: System and Method for Facilitating the Purchase of Goods
and Services

POWER OF ATTORNEY

As an officer of the Assignee, Quake!, LLC, a Texas corporation, I hereby appoint Martin Korn, Registration No. 28,317; Monty L. Ross, Registration No. 28,899, L. Dan Tucker, Registration No. 22,670; William D. Jackson, Registration No. 20,846; Roy W. Hardin, Registration No. 28,304; Charles E. Phipps, Registration No. 40,127; Mark R. Backofen, Registration No. 51,423; Michael W. Dubner, Registration No. 47,310; Scott Fuller, Registration No. 54,716; Kristen R. Paris, Registration No. 52,092; and Scott C. Sample, Registration No. 52,189 of the firm of LOCKE LIDDELL & SAPP LLP, as attorneys with full power of substitution and revocation, to prosecute the patent application identified above, to transact all business in the United States Patent and Trademark Office connected therewith, and to file and participate in the prosecution of any international patent application filed thereon as permitted before any international authority, including any application that may be filed under the Patent Cooperation Treaty.

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QUAKE!, LLC

By: R. O'Neal Gray
R. O'Neal Gray

Title:

Date: 4-7-04